

**AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT**

I, Tucker J. Heap, a Special Agent with the Federal Bureau of Investigation, being duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI), United States Department of Justice, and have been so employed for approximately eight and a half years. I am currently assigned to the Boston Division of the FBI, Violent Crimes Against Children Squad. Prior to my current assignment, I was assigned to Boston Organized Crime Drug Enforcement (OCDETF) Strike Force for approximately seven years and the Gang Squad for approximately one year. Since my assignment to the Crimes Against Children Squad, I have received training related to the investigation of crimes involving the on-line sexual exploitation of children and have been assigned several such investigations.
2. This affidavit is being submitted in support of an application for a criminal complaint charging Stephen John Hallissey (DOB: XX/XX/1977), of 38 Arthur Street, Framingham, Massachusetts with possession of child pornography and receipt of child pornography, in violation of 18 U.S.C. § 2252A(a)(5)(B) and 2252A(a)(2)(A) respectively.
3. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts I believe are necessary to establish probable cause to believe that Stephen John Hallissey has committed the offenses of possession and receipt of child, in violation of 18 U.S.C. § 2252A(a)(5)(B) and 2252A(a)(2)(A) respectively.

**INVESTIGATION**

**Description of Website 22**

4. In November 2014, the FBI Boston Division received an investigative lead from FBI Headquarters regarding Website 22<sup>1</sup>. This website was an online bulletin board whose primary purpose was the advertisement and distribution of child pornography and the discussion of matters pertinent to incest and pedophilia.
5. On or about August 2, 2013, the computer server hosting Website 22 was seized from a web-hosting facility, at which time Website 22 ceased to operate. Before and after its seizure by law enforcement, agents viewed, examined and documented the contents of Website 22, which are described below.

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<sup>1</sup> The particular websites described in this affidavit have been referred to in other legal process by the number used in this affidavit, so this number is being used here for consistency. The actual name of the website is known to law enforcement. Investigation into the users of these sites remains ongoing and disclosure of the name of the site would potentially alert users to the fact that law enforcement action is being taken against the site, potentially provoking users to notify other users of law enforcement action, flee, and/or destroy evidence.

6. As of July 12, 2013, the site reported approximately 1.4 million files that had been uploaded and were accessible by users. During 2012 and 2013, the FBI downloaded and reviewed more than 1 million files from Website 22. Nearly all of the files depict children who are engaging in sexually explicit conduct with adults or other children, posted nude and/or in such a manner as to expose their genitals, in various states of undress, or child erotica. A substantial majority of the images downloaded by the FBI depict prepubescent minor children who are fully or partially nude or engaged in sexually explicit conduct.
7. It was not required to register with the site to either post/view content or participate in forum discussions. However, for the forum section of the site, a registered account allowed an individual to send and receive private messages between users. There were no pre-requisites to create an account.
8. The home page was divided into sections displaying distinct categories of material. On the left side of the home page was a category for images and videos recently posted by users. On the right side of the home page was a category for images and videos that site users recently marked as a “favorite.” The exact images visible in those sections of the home page varied from time to time, depending on what users recently posted or marked as a favorite. Images posted to the site could be categorized or “tagged” by users based upon the image theme or characteristics. Image tags aid in searching of files posted to the site. Users could also associate an age or age range with images posted to the site. Those age ranges also aided in searching of files posted on the site. The following files were visible on the site home page when accessed by a law enforcement agent in July of 2013:
  - a. File number 1119831.jpg depicts a pre-pubescent male with his genital area displayed and the focal point of the image.
  - b. File number 1023318.jpg depicts a female infant/toddler performing oral sex on an older post-pubescent male. This file appears to be a still shot taken from a video.
9. At the top-right of the home page was a search box above which were clickable categories identified as “Girls,” “All,” and “Boys” along with subdivided age ranges including 0-2, 3-5, 6-8, 9-11, 12-14, and 15-17. There did not appear to be a clickable link for 18+. Those categories could be used in conjunction with a search box to find files associated with a particular word/age/sex. For example, a user could click on “girls,” then click on “0-2,” then enter a search term in the search box, to find a particular image of a female minor between 0-2 years old. The results of this type of search were provided in a thumbnail format and based on either words “tagged” onto an image by users or words located in set or filenames associated with certain groups of related files. Selecting images or sets then allowed the user to download/view individual files with an option to download all files associated with a particular result.

10. Individuals visiting the site could upload files either singularly or in groups, either as individual files or part of an archive file. Once uploaded, these files could be viewed and/or downloaded by anyone accessing the site.
11. The site's forum section, which included 16 language specific areas, did not itself appear to contain any child exploitation material, but did provide an area for discussion on various topics such as computer security, "Morality of Pedophilia," "Website Ideas, Improvements, & Bugs" among others. There were 16 language specific areas in the forum as well.

#### Finding and Accessing Website 22

12. Website 22 operated on a computer network (referred, hereafter, as "the Network") available to Internet users that is designed specifically to facilitate anonymous communication over the Internet. In order to access that Network, a user must install computer software that is publicly available, either by downloading software to the user's existing web browser, downloading free software available from the network's administrators, or downloading a publicly-available third-party application<sup>2</sup>. Using the Network prevents someone attempting to monitor an Internet connection from learning what sites a user visits, as well as learning the user's physical location. Because of the way the Network routes communication through other computers, traditional IP identification techniques are not viable.
13. Websites that are accessible only to users within the Network can also be set up within the Network. Website 22 was just such a website. A user could only reach websites like Website 22 if the user is operating in the Network. Even after connecting to the Network, however, a user must have known the exact web address of such a website in order to access it. Websites on the Network are not indexed in the same way as websites on the traditional Internet. Accordingly, unlike on the traditional Internet, a user could not have simply performed a Google search for the name of Website 22 to obtain the web address for Website 22 and click on a link to navigate to Website 22. Rather, a user might have obtained the web address for Website 22 directly from other users of Website 22, or from online postings describing both the sort of content available on Website 22 and its location. Accessing Website 22 therefore required numerous affirmative steps by the user, making it extremely unlikely that any user could have simply stumbled upon Website 22 without first understanding its content and knowing that its primary purpose was to advertise and distribute child pornography.

#### The Instant Messaging Service

14. The Instant Messaging Service (hereinafter "IMS")<sup>3</sup> is a free, publically available instant messaging service that allows Network users to send instant text messages and files to

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<sup>2</sup> Users may also access the Network through so-called "gateways" on the open Internet, however, use of those gateways does not provide users with the anonymizing benefits of the Network.

<sup>3</sup> The actual name of the Instant Messaging Service (IMS) is known to law enforcement. Investigation into criminal suspects who used that service sites remains ongoing and disclosure of the name of the service would potentially alert users to the fact that law enforcement is able, with

one another. Users may install the IMS on their computer and then obtain a unique IMS username to be able to communicate with other IMS users.

15. The unique IMS username is a pseudo-random string of characters created by the IMS, via a particular algorithm, when the software is downloaded and installed for the first time. The IMS username cannot be used from two different computers at the same time and because of the length of the username and the way it is generated, it is almost impossible that a unique IMS username would be recycled and given to different user at another time.

User "Teddles" on Website 22

16. On January 29, 2013, the user Toddles registered an account on Website 22. Among other things, this user included the following text on his profile:

a. Boys – Low/High Ages	1-3
b. Boys – Min/Max Ages	0-4
c. Girls – Low/High Ages	1-3
d. Girls – Min/Max Ages	0-4
e. Likes Boys	Yes
f. Likes Girls	Yes
g. "IMS"	[IMS username]

17. Further, the user Toddles included in his profile one image, also known as an avatar. This image depicted a toddler wearing a black shirt and diapers facing the camera. What appeared to be an adult male was next to the toddler and his exposed penis was pressed against and was partially penetrating the toddler's mouth.

18. From January 29, 2013, through July 30, 2013, the user Toddles made approximately 155 comments on Website 22 and sent 112 private messages to other users of the website. Website 22 allowed users to post comments associated with particular images. Those comments would appear below the image on the page that displayed the full-sized image on the site. Many of the comments made by the user Toddles were in response to child pornography and child erotica posted by other users.

19. On January 31, 2013, the user Toddles made a comment in response to an image posted by another user. This image depicted a female toddler who was naked from the waist down with her legs spread apart, exposing her vagina. The comment posted by the user Toddles stated:

a. "Such a sexy little girl that I would love to molest and fuck, hehehe."

20. On February 9, 2013, the user Toddles made a comment in response to an image posted by another user. This image depicted a naked prepubescent female, whose legs were

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appropriate legal process, to obtain information about accounts on the IMS, potentially provoking users to notify other users of law enforcement action, flee, and/or destroy evidence.

spread apart, exposing her vagina and anus. Her anus was being penetrated by what appeared to be an adult male's penis. The comment posted by the user Toddles stated:

- a. "It is so incredibly hot seeing her getting fucked."
21. On March 16, 2013, the user Toddles made a comment in response to an image posted by another user. This image contained six smaller images, all of which depicted a female infant lying on her back. Four of the images depicted the female infant with her legs spread apart and raised in the air, exposing her vagina and anus. What appeared to be an adult's left hand was pressed against the skin near the infant's vagina, stretching it open. The comment posted by the user Toddles stated:
  - a. "If I ever had a sexy little babygirl all alone with me she would get my raging hard pedocock deep in her mouth, ass and babycunt."
22. On May 10, 2013, the user Toddles made a comment in response to an image posted by another user. This image depicted a naked prepubescent male who was on his hands and knees bent forward with his legs spread apart, exposing his penis and anus. What appeared to be a naked adult was behind and partially on top of the prepubescent male. The male's genitals were not clear in the image, but appeared to be pressing against or penetrating the prepubescent male's anus. The comment posted by the user Toddles stated:
  - a. "I wish that was my pedocock fuckraping his tight lil boy ass, deep and hard :.)"
23. On July 22, 2013, the user Toddles made a comment in response to an image posted by another user. This image depicted a naked prepubescent male who was lying on his back with his legs spread apart, exposing his penis and anus. What appeared to be the legs of an adult male were also visible in the image on either side of the prepubescent male. The comment posted by the user Toddles stated:
  - a. "sooooo fucking sexy, he really looks like he WANTS to be used as sexually as possible :.)"
24. On July 25, 2013, the user Toddles made a comment in response to an image posted by another user. This image depicted a prepubescent female facing what appeared to be an adult male. The male's penis was being held in his right hand and was pressed against or penetrating the prepubescent female's mouth. The comment posted by the user Toddles stated:
  - a. "That would be very HOTTTTTTT, wish I could do that:)"
25. On July 25, 2013, the user Toddles responded to private messages sent by another user, stating:

- a. "I go as far as rape, but after that it's just not me, Im not into hurtcore, I LOVE hurting kids with sex (rape), but do not like hurting kids just to hurt, so you may be much more cruel and sadistic than I ever could be, but I have no problem with you using a child the you want to, even if it's not my thing, the best part is we both like em soooooo young, cute and innocent, hehehe:)."
26. On July 16, 25, and 30, 2013, the user Toddles responded to private messages sent by another user, stating:
  - a. "I like 2yo most of all:)."
  - b. "mmm YESsssss, perfect age, would LOVE to stretch a 2yo cunt with my hard pedocock, then empty my horny load deep in side her, hehehe:)."
  - c. "I really wish I could know and fully enjoy that feeling. I truly hope that one day I get to fully unleash my totalpedo LUS on an incredibly cute and innocent 2yo girl:)."

Technological Advancements Identified Usernames

27. As stated in paragraph 6, on August 2, 2013, the computer server hosting Website 22 was seized from a web-hosting facility, at which time Website 22 ceased to operate. In this affidavit, your affiant details activity of Toddles on Website 22 occurring from January to July 2013. This activity includes the unique IMS username of Toddles that he displayed on his Website 22 profile. As described below, the FBI did not have the capability to obtain information associated with IMS accounts until mid-2014, at which time information was obtained through appropriate legal process. Once specific users were identified, such as Toddles, the FBI forwarded leads to the pertinent field divisions.

Evidence Related to Identification of "Toddles"

28. In June 2014, the FBI issued an administrative subpoena to an electronic communications service provider<sup>4</sup> that disclosed information stating an individual utilized Toddles' IMS username from Website 22, as described in Paragraph 18, from IP address 146.115.24.108 on March 3, 2014, and May 24, 2014.
29. In July 2014, an administrative subpoena was issued to RCN Telecom in regards to IP address 146.115.24.108 for the dates listed above. A review of the results obtained identified the account holder as William Hallissey of 38 Arthur Street, Framingham, MA.
30. A check of publicly available databases identified William Hallissey as residing at 38 Arthur Street, Framingham, MA. A second resident was identified as Norman Hallissey.

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<sup>4</sup>The actual name of the electronic communications service provider is known to law enforcement. Investigation into criminal suspects who used the IMS remains ongoing and disclosure of the name of the communications service provider would potentially alert users to the fact that law enforcement is able, with appropriate legal process, to obtain information about IMS accounts, potentially provoking users to notify other users of law enforcement action, flee, and/or destroy evidence.

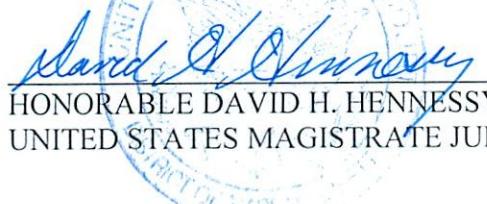
31. A check of social media webpage identified one profile for William Hallissey who resided in Framingham, MA. Among other things, this profile depicted an adult white male who is currently attending the University of Massachusetts as an Electrical Engineering student.
32. A check of the MA Registry of Motor Vehicles (RMV) identified William Hallissey, an adult white male, date of birth (DOB) June 7, 1981, as residing at 38 Arthur Street, Framingham, MA. The DMV photograph of William Hallissey appeared to depict the same adult white male as described in Paragraph 30. The RMV listed a 2007 gray Volkswagen Jetta, MA license plate 512HW4, and a 2014 gray Ford Focus, MA license plate 451NX0, as registered to William Hallissey.
33. A check of the MA RMV identified Norman Hallissey, an adult white male, date of birth (DOB) May 10, 1980, as residing at 38 Arthur Street, Framingham, MA. The RMV listed a 1996 blue Toyota Camry, MA license plate 91FT49, as registered to Norman Hallissey.
34. On November 17, 2014, per an official request from the FBI, the U.S. Postal Inspection Service (USPIS) provided documentation that Norman Hallissey received mail at 38 Arthur Street, Framingham, MA.
35. On December 18, 2014, at 4:45 a.m., FBI agents observed two gray sedans parked in the detached garage at 38 Arthur Street, Framingham, MA, as well as a blue sedan that appeared to be a Toyota Camry. At 9:30 a.m., FBI agents saw a white male depart from the residence in a blue Toyota Camry, MA license plate 91FT49. They followed the vehicle to Babson College, 231 Forest Street, Babson Park, MA. As the white male exited the vehicle, the FBI agents recognized him as Norman Hallissey. They observed him meet up with an unidentified female, and then walk to the Sorenson Center for the Arts on campus.
36. On March 2, 2015, United States Magistrate Judge David H. Hennessy issued a search warrant for 38 Arthur Street, Framingham, Massachusetts. On March 3, 2015, federal, state, and local law enforcement officers executed the search warrant for 38 Arthur Street, Framingham, Massachusetts.
37. Upon entering the residence, law enforcement learned that a third Hallissey brother – Stephen John Hallissey – also resided at 38 Arthur Street, Framingham, Massachusetts.
38. Agents found an external hard drive in the bedroom of Stephen John Hallissey. Agents conducted a pre-forensic review of the hard drive and found over 10,000 photographs and 10 videos containing known hash values of child pornography. After being advised of his *Miranda* rights, Stephen John Hallissey confessed to utilizing the username “Toddles,” as well as to downloading and uploading photographs of child pornography to websites on the Internet on a weekly basis this year.

CONCLUSION

39. Based upon the foregoing, I respectfully request that this Court issue a criminal complaint charging Stephen John Hallissey, DOB April 7, 1977, of 38 Arthur Street, Framingham, Massachusetts with possession of child pornography and receipt of child pornography, in violation of 18 U.S.C. § 2252A(a)(5)(B) and 2252A(a)(2)(A) respectively

  
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Tucker J. Heap  
Special Agent, FBI

SWORN AND SUBSCRIBED TO BEFORE ME THIS 3rd DAY OF MARCH, 2015.

  
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HONORABLE DAVID H. HENNESSY  
UNITED STATES MAGISTRATE JUDGE